

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO SENTENCING MINUTE SHEET BEFORE THE HONORABLE MATTHEW L. GARCIA										
CR No:	23-1256 MLG	USA vs.	Harney-Chee							
Date:	2/6/24	Defendant:	Kyle Joseph Harney-Chee							
Time In/Out:	3:29 – 3:52		Total Time in Court:			23 minutes				
Clerk:	E. Romero		Court Reporter:			Paul Baca				
AUSA:	Mark Probasco		Defendant's Counsel:			D. Eric Hannum				
Courtroom:	Gila		Probation Officer:			D. Martinez				
Interpreter:	n/a		Interpreter Sworn?			<input type="checkbox"/> Choose an item.				
Convicted on:	Plea		As to:	Information			Counts:	1		
Guilty Plea:	Accepted		Plea Agreement:	Accepted						
Date of Plea/Verdict:	8/15/23	PSR:	Not Disputed	<input checked="" type="checkbox"/>	Courts adopts PSR Findings		Evidentiary Hrg:	Not Needed		
Exceptions to PSR:										
SENTENCE IMPOSED										
IMPRISONMENT (BOP):	30 months									
<input checked="" type="checkbox"/>	500-Hour Drug Program	<input type="checkbox"/>	BOP sex-offender treatment program		Other:					
SUPERVISED RELEASE:	3 years				<input checked="" type="checkbox"/>	Mandatory/Standard Conditions				
SPECIAL CONDITIONS OF SUPERVISION										
<input checked="" type="checkbox"/>	Defendant must participate in/successfully complete outpatient substance abuse treatment program & grant waiver of confidentiality.			<input checked="" type="checkbox"/>	Defendant must submit to substance abuse testing to determine if you have used a prohibited substance; Testing shall not exceed 60 tests per year					
<input checked="" type="checkbox"/>	Defendant must submit to a search of your person, property, residence, vehicle, papers, computers (as defined in 18USC1030(e)(1)), other electronic communications or data storage devices or media, or office under your control.			<input checked="" type="checkbox"/>	Defendant must not use or possess alcohol; You may be required to submit to alcohol testing that may include urine testing, a remote alcohol testing system, and/or alcohol monitoring technology program to determine if you have used alcohol; Testing shall not to exceed 4 tests per day.					
<input type="checkbox"/>	Defendant must not knowingly purchase, possess, distribute, administer, or otherwise use any psychoactive substances that impair your physical or mental functioning, whether or not intended for human consumption.			<input type="checkbox"/>	Defendant must not possess, sell, offer for sale, transport, cause to be transported, cause to affect interstate commerce, import, or export any drug paraphernalia, as defined in 21 U.S.C. 863(d).					
<input checked="" type="checkbox"/>	Defendant must participate in mental health treatment program and follow rules and regulations of the program; You shall waive your right of confidentiality.			<input type="checkbox"/>	Defendant must take all mental health medications as prescribed by the treating physician.					
MONETARY PENALTIES / FORFEITURES										
Fine: \$	-0-	Restitution: \$	-0-	SPA: \$	100.00	Due Immediately				
Forfeit rights title & interest to:										
OTHER										
<input checked="" type="checkbox"/>	Waived Appeal Rights per Plea Agreement			<input checked="" type="checkbox"/>	Held in Custody					
<input checked="" type="checkbox"/>	Recommended place(s) of incarceration: Black Canyon, AZ., to be near family.									
<input type="checkbox"/>	Dismissed Counts:									
PROCEEDINGS										
Court in session – parties state appearances; Court outlines documents reviewed for sentencing; Mr. Probasco addresses Court re: 11c1C agreement; Mr. Hannum addresses Court re: 11c1C agreement; Defendant addresses Court; Court will accept plea agreement and imposes sentence; Mr. Probasco states no claim for restitution has been made and does not expect a request to be forthcoming; Officer Martinez answers Court's question re: the requested fine; Mr. Probasco responds; Court will not impose a fine; Mr. Probasco has nothing to add; Mr. Hannum requests BOP placement.										